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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,583	12/17/2001	William R. Lehman	T3392-000000	5426

7590 04/12/2004

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EXAMINER

PHAM, MINH CHAU THI

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 04/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,583

Applicant(s)

LEHMAN, WILLIAM R.

Examiner

Minh-Chau T. Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 12, 15-18, 24, 27, 29 and 33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusakibaru et al (6,670,290 B2; Fig. 1; col. 2, lines 44-62; col. 3, lines 6-17 and lines 33-38), in view of the CDC Health Advisory; October 2001; page 2, section under "Engineering Controls in Mail Handling/Processing Sites".

Kusakibaru et al disclose an air decontamination system comprising a sealed room (1) having an inlet (9), a vacuum unit (14) which creates a negative pressure within the room by suctioning air through the air inlet (9) into the room (3) and then from the room into an inlet of the vacuum unit wherein the vacuum unit creates a laminar flow of air within the room, and a filter unit which filters air. The system has a work surface disposed in the sealed area and air being suctioned downwardly through the work surface (see Fig. 1). Claims 1, 12, 15-18, 24, 27, 29 and 33-37 differ from the disclosure of Kusakibaru et al in that the decontamination system located in a mail sorting room. The "CDC Health Advisory" article discloses a mail handling or processing site including mail sorting machine wherein the site includes an industrial vacuum cleaner equipped with a high efficiency particulate air HEPA filter for cleaning high speed mail sorting machine, an exhaust ventilation, a HEPA filtered exhausted hood installed in areas where dust is generated (e.g. mail sorting machinery), and air curtains (using laminar flow) installed in areas where large amounts of mail are processed. It would have been obvious to a person having ordinary skill in the art at the

time the invention was made to provide an air decontamination system of Kusakibaru et al for the mail sorting machinery as taught by the "CDC Health Advisory" article since the sealed room provides a safe and dust free environment for the postal workers to work in.

Claims 2-6 and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusakibaru et al (6,670,290 B2; Fig. 1; col. 2, lines 44-62; col. 3, lines 6-17 and lines 33-38), in view of the CDC Health Advisory; October 2001; page 2, section under "Engineering Controls in Mail Handling/Processing Sites", as applied supra, and further in view of Long et al (5,713,791; col. 2, lines 38-46 and lines 54-64; col. 3, lines 5-21 and lines 31-55).

Claims 2-6 and 19-23 call for the sealed room having a modular construction with removable walls and at least one transparent wall. Long et al disclose a clean room having a modular construction with removable walls and at least one transparent wall. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the sealed room of Kusakibaru et al with modular construction with removable walls and at least one transparent wall as taught by Long et al to provide an effective mechanism to transport products between two separate clean room environments that would eliminate the requirements of a decontamination station for the products before they can be reintroduced into the second clean room environment.

Claims 7-9 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusakibaru et al (6,670,290 B2; Fig. 1; col. 2, lines 44-62; col. 3, lines 6-17 and

lines 33-38), in view of the CDC Health Advisory; October 2001; page 2, section under "Engineering Controls in Mail Handling/Processing Sites", as applied supra, and further in view of Renz (6,358,139; 9 in Fig. 1; col. 2, lines 21-25).

Claims 7-9 and 30-32 call for an air lock room connected to the sealed room. Renz discloses an air lock room (9) connected to the sealed room wherein the air inlet extends between the sealed room and the air lock room and wherein the air suctioned through the air inlet resides within the air lock room, and another air inlet which allows air to pass from the outside source into the air lock room. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the sealed room of Kusakibaru et al with an air lock room as taught by Renz so that fresh air flowing through the filter reaches directly the sealed room and eliminates most of the contaminants from the air stream.

Claims 10 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusakibaru et al (6,670,290 B2; Fig. 1; col. 2, lines 44-62; col. 3, lines 6-17 and lines 33-38), in view of the CDC Health Advisory; October 2001; page 2, section under "Engineering Controls in Mail Handling/Processing Sites", as applied supra, and further in view of Chornenky et al (6,185,294 B1; col. 1, lines 39-45).

Claims 10 and 25 call for an intercom system which allows a person outside to communicate with a person inside the room. Chornenky et al disclose an intercom system which allows a person outside to communicate with a person inside the room. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to adopt the intercom system as taught by Chornenky et al in the

sealed room of Kisakibaru et al so that a person working inside the sealed room can communicate with others in the outside without having physically to go out of the sealed room and be contaminated.

Claims 11 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kisakibaru et al (6,670,290 B2; Fig. 1; col. 2, lines 44-62; col. 3, lines 6-17 and lines 33-38), in view of the CDC Health Advisory; October 2001; page 2, section under "Engineering Controls in Mail Handling/Processing Sites", as applied supra, and further in view of Hofstra et al (5,085,134; col. 6, lines 32-42).

Claims 11 and 26 call for a warning device which provides an indication that the sealed room is in use. Hofstra et al disclose a warning device which provides an indication that the smoker's booth is in use. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the sealed room of Kisakibaru et al with a warning device as taught by Hofstra et al so that the device would detect the presence of a user and let others know that the sealed room is in use.

Claims 13, 14 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kisakibaru et al (6,670,290 B2; Fig. 1; col. 2, lines 44-62; col. 3, lines 6-17 and lines 33-38), in view of the CDC Health Advisory; October 2001; page 2, section under "Engineering Controls in Mail Handling/Processing Sites", as applied supra, and further in view of Kinkead et al (5,626,820; 14, 24, 46, 48 & 50 in Fig. 1A; col. 5, lines 15-26; col. 6, lines 9-17).

Claims 13, 14 and 28 call for a multi-layered filtration system to remove various ranges of particles sizes and a chemical filter. Kinhead et al disclose a multi-layered filtration system of a clean room wherein the filtration system removes various ranges of particle sizes and a chemical filter. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to adopt the multi-layered filtration system as taught by Kinhead et al in the sealed room of Kisakibaru et al since the filtration system removes not only the particles from the air stream but also the chemical contaminants produced by the processing station.

Response to Arguments

Applicant's arguments filed on January 23, 2004 have been fully considered but they are not persuasive.

Applicant argues that the primary reference "Truhan does not disclose a work surface disposed in the sealed area and air being suctioned downwardly through the work surface". The Examiner now drops the Truhan reference and newly introduces the Kisakibaru et al to show an air decontamination system comprising a sealed room (1) having an inlet (9), a vacuum unit (14) which creates a negative pressure within the room by suctioning air through the air inlet (9) into the room (3) and then from the room into an inlet of the vacuum unit wherein the vacuum unit creates a laminar flow of air within the room, and a filter unit which filters air. The system has a work surface disposed in the sealed area and air being suctioned downwardly through the work surface (see Fig. 1). The Examiner newly introduces the "CDC Health Advisory" article

as the secondary reference to show that the decontamination system can be located in a mail sorting room. The "CDC Health Advisory" article discloses a mail handling or processing site including mail sorting machine wherein the site includes an industrial vacuum cleaner equipped with a high efficiency particulate air HEPA filter for cleaning high speed mail sorting machine, an exhaust ventilation, a HEPA filtered exhausted hood installed in areas where dust is generated (e.g. mail sorting machinery), and air curtains (using laminar flow) installed in areas where large amounts of mail are processed. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide an air decontamination system of Kisakibaru et al for the mail sorting machinery as taught by the "CDC Health Advisory" article since the sealed room provides a safe and dust free environment for the postal workers to work in.

Applicant's arguments with respect to claims 1-37 have been thoroughly considered but are moot in view of the new ground(s) of rejection, as discussed above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Siemers et al (6,632,260 B1) disclose a clean air flow environment.
- Manna et al (6,660,054 B2) disclose a processing chamber with airborne contaminant containment.
- Cauthorne (6,692,348 B1) discloses a system for controlling a mailroom environment.

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- Kristensson (6,702,662 B2) discloses a method of providing clean air in premises.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Minh-Chau Pham
Patent Examiner
Art Unit: 1724
April 5, 2004